

Rec'd CT/PTO 15 AUG 2005

Docket No. SP-1307 US

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Arthur H. Konwinski

Examiner:

Serial No.: 10/521,145

Art Unit:

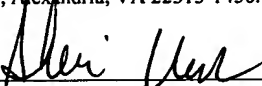
I. A. Filing Date: October 17, 2003

Title: **FOOD COATING COMPOSITION AND METHOD OF MAKING
SAME**

"Express Mail" Label No. EV 042959371 US
Date of Deposit August 15, 2005

I hereby certify that this paper is being deposited
with the United States Postal Service "Express Mail
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on the date indicated above and is addressed to the
Commissioner for Patents, P. O. Box
1450, Alexandria, VA 22313-1450.

By


Typed Name: Sheri West

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 USC 371 IN THE US DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Dear Sir:

In response to the Notification of Missing Requirements Under 35 USC 371 in the US Designated/Elected Office (DO/EO/US) in the matter of the above-identified U.S. patent application Serial No. 10/521,145, Applicant encloses herewith the following documents:

Response
Serial No.: 10/521,145
August 15, 2005

Page 2

Fee Transmittals for FY 2005 (2);

A copy of the Notification of Missing Requirements Under 35 USC 371 in the US Designated/Elected Office (DO/EO/US);

Declaration and Power of Attorney for Patent Application Signed by Messers Konwinski and Worrall;

Petition By Joint Inventor(s) Filing On Behalf of Other Joint Inventor(s) Who Refuse(s) To Join In Application Or Cannot Be Reached 37 CFR 1.47(a));

Statement Of Facts In Support Of Filing On Behalf of NonSigning Inventor (37 CFR 1.47);

Added Page to Combined Declaration And Power Of Attorney For Signature By Joint Inventor(s) On Behalf Of NonSigning Inventor(s) Who Refuse(s) To Sign Or Cannot Be Reached (37 CFR 1.47(a));

Express Mail Receipts and Letters for Correspondence sent to Mr. Katen

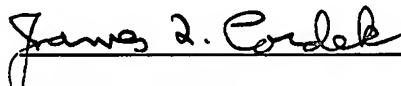
Applicant believes that the foregoing comprises a full and complete response to the Notification of record.

If any additional fees are due in connection with the filing of this document, the Commissioner is authorized to charge those fees to our Deposit Account No. 50-0421.

08/23/2005 ATRAN1 00000043 500421 10545767
01 FC:1464 130.00 DA

Respectfully submitted,
Solae, LLC

Date: August 15, 2005


James L. Cordek
Registration No. 31,807

PO Box 88940
St. Louis, MO 63188
314.982.2409



Attorney's Docket No. SP-1307 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Arthur H. Konwinski, et al.
Serial No. : 10/521,145
I. A. Filing Date : 07/22/2003
Art Unit :
For : Food Coating Composition and Method of Making Same

MAIL STOP MISSING PARTS
COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA, VA 22313-1450

EXPRESS MAIL CERTIFICATE

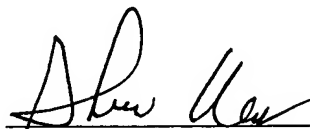
Express Mail" Label Number: EV 042959371 US

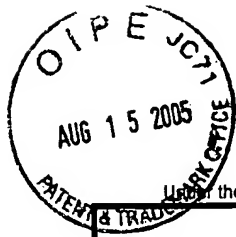
Date of Deposit: August 15, 2005

I hereby certify that the attached: Transmittal Form (1 page); Fee Transmittals for FY 2005 (1 page in duplicate); Notification of Missing Requirements Under 35 USC 371 in the US Designated/Elected Office (DO/EO/US) (2 pages); Declaration and Power of Attorney for Patent Application Signed by Messers Konwinski and Worrall (4 pages); Petition By Joint Inventor(s) Filing On Behalf of Other Joint Inventor(s) Who Refuse(s) To Join In Application Or Cannot Be Reached 37 CFR 1.47(a)) (2 pages); Statement Of Facts In Support Of Filing On Behalf of NonSigning Inventor (37 CFR 1.47) (8 pages); Added Page to Combined Declaration And Power Of Attorney For Signature By Joint Inventor(s) On Behalf Of NonSigning Inventor(s) Who Refuse(s) To Sign Or Cannot Be Reached (37 CFR 1.47(a)) (1 page); copy of Express Mail Receipts and Letters for Correspondence sent to Mr. Katen on July 19, 2005 and August 5, 2005 (4 pages); and Return Receipt Postcard are being deposited with the United States Postal Service as "Express Mail" in an envelope addressed to:

MAIL STOP MISSING PARTS
COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA, VA 22313-1450

Dated: 8/15/05


Sheri West



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EV 042959371 US

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/521,145
	Filing Date	July 22, 2003
	First Named Inventor	Aruthur H. Konwinski.
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	SP-1307 PCT US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Added Page to Combined Declaration and Power of Attorney for Signature by Joint Inventor(s) on Behalf of Nonsigning Inventor(s) Who Refuse(s) to Sign or Cannot be Reached (37 CFR 1.47(a))
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	JAMES L. CORDEK, 31,807
Signature	<i>James L. Cordak</i>
Date	15 Aug. 2005

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Type or printed name	Sheri West		
Signature	<i>Sheri West</i>	Date	8/15/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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Express Mail No. EV 042959371 US

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 260.00

Complete if Known

Application Number	10/521,145
Filing Date	7/22/2003
First Named Inventor	Arthur H. Konwinski
Examiner Name	
Art Unit	
Attorney Docket No.	SP-1307 PCT US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 50-0421 Deposit Account Name: Solae, LLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims Extra Claims Fee (\$) Fee Paid (\$)

- 20 or HP = x =

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)

- 3 or HP = x =

HP = highest number of independent claims paid for, if greater than 3.

Small Entity Fee (\$)

50 25

08/22/2005 ATRAM1 00000164 500421 10521145

01 FC:1617 300.00 DA 180

Multiple Dependent Claims

Fee (\$) Fee Paid (\$)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)

- 100 = / 50 = (round up to a whole number) x =

4. OTHER FEE(S) (1) Notification of Missing Requirements Under 35 U.S.C. 371... and

Fees Paid (\$)

(2) Petition by Joint Inventors Filing on Behalf of Other Joint Inventors 37 C.F.R. 1.47(a)

\$130.00

\$130.00

SUBMITTED BY

Signature James L. Cordek

Registration No. 31,807
(Attorney/Agent)

Telephone 314.982.2409

Name (Print/Type) James L. Cordek

Date 15 Aug. 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

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Page 1 of 2
15 AUG 2005

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/521,145	Charles T Worrall	SP-1307-PCT US

INTERNATIONAL APPLICATION NO.

PCT/US03/22844

I.A. FILING DATE	PRIORITY DATE
------------------	---------------

07/22/2003

07/22/2002

James L Cordek
P O Box 88940
St Louis, MO 63188

CONFIRMATION NO. 2780
371 FORMALITIES LETTER
OC000000016280492
OC000000016280492

Date Mailed: 06/16/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/13/2005
- Copy of the International Search Report filed on 01/13/2005
- Copy of IPE Report filed on 01/13/2005
- Preliminary Amendments filed on 01/13/2005
- Oath or Declaration filed on 01/13/2005
- Request for Immediate Examination filed on 01/13/2005
- U.S. Basic National Fees filed on 01/13/2005
- Priority Documents filed on 01/13/2005
- Power of Attorney filed on 01/13/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

Rec'd PCT/PTO**15 AUG 2005**

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/521,145	PCT/US03/22844	SP-1307-PCT US